

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH A. KOSTELECKY,

Defendant.

Case No. 1:17-cr-15

ORDER OF FORFEITURE AND  
MONEY JUDGMENT

In the above-entitled Indictment, the United States sought forfeiture of property that constituted or was derived from proceeds the defendant obtained directly or indirectly used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offenses alleged in Indictment, namely, Wire Fraud, in violation of Title 18, United States Code, Section 1343, and Securities Fraud, in violation of 15 United States Code, Section 78j(b) and 78ff(a) and 17 C.F.R. § 240.10b-5.

Pursuant to paragraph 21(b) of the Plea Agreement (Doc. 140) filed October 1, 2021, and by agreement of the defendant and the United States, this Court finds the United States is entitled to a personal money judgment against defendant Joseph A. Kostelecky in the amount of \$50,739.25 in United States currency, pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28 United States Code, Section 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

It is hereby ORDERED, ADJUDGED, and DECREED:

1. The defendant shall abandon and forfeit \$50,739.25 in cash to the United States. Said amount is hereby forfeited to the United States for disposition in accordance with the law.

2. The United States is authorized to conduct discovery in accordance with the Federal Rules of Civil Procedure.

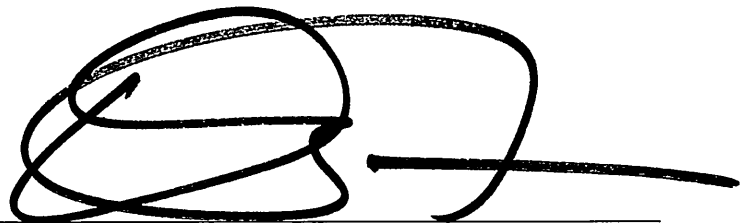
3. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this order.

4. Pursuant to Rule 32.2(b)(4), this Order of Forfeiture shall become final as to the defendant at the time of sentencing, and shall be made part of the sentence and included in the judgment. With respect to the money judgment, Rule 32.2(c)(1) provides that “no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment.”

5. The United States may, at any time, move pursuant to Rule 32.2(e) to amend this Order of Forfeiture and Money Judgment to substitute property having a value not to exceed \$50,739.25 to satisfy the money judgment against defendant Joseph A. Kostelecky, in whole or part.

IT IS SO ORDERED.

Dated this 4<sup>th</sup> day of April 2022.

A handwritten signature in black ink, appearing to read 'D. Traynor', is written over a horizontal line.

DANIEL M. TRAYNOR, Judge  
United States District Court